



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

JUL 15 2010

Dr. Markus Horning  
Marine Mammal Program, Dept. Fisheries & Wildlife  
Oregon State University  
Hatfield Marine Science Center  
Newport, OR 97365

Dear Dr. Horning:

Enclosed is Permit No. 1034-1887-00 for research activities on Steller sea lions (*Eumetopias jubatus*). This permit is effective upon your signature and valid through the expiration date indicated in Condition A.1.

Both an original and a "file copy" of the signature page are enclosed with your permit. Please sign and date both pages where indicated, keeping the original with the permit for your records. You must return the "file copy" signature page, with your dated signature, to this office as proof of your acceptance of the permit. Please return the signature page marked "file copy" to the Chief, Permits Division (F/PR1), 1315 East-West Highway, Silver Spring, MD 20910. You may also submit the "file copy" of the signature page by facsimile to 301-427-2521 and confirm it by mail.

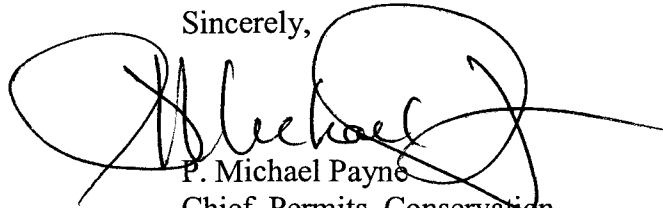
Please note this permit specifically does not authorize Task 1 activities described in your application including capture, sampling, and/or implantation of Life History Transmitters in live immature Steller sea lions (*Eumetopias jubatus*). We are authorizing the Alaska SeaLife Center (ASLC; Permit No. 881-1890-00) to implant Life History Transmitters in up to 30 transient juvenile animals held at the ASLC in temporary captivity for the first year of research to assure that animals will be adequately monitored by veterinary and husbandry staff post-operatively and treated should there be any complications from the surgery. Pending review of the results of these implants performed over a one-year period, the Office of Protected Resources will then consider authorizing you to conduct these procedures on juvenile Steller sea lions in the field.

Please be advised that, pursuant to Condition H.4 of the enclosed permit, NMFS will not accept or process requests for amendments to the permit. NMFS is working with the Marine Mammal Commission to organize an independent review of the Steller sea lion and northern fur seal research program and develop a research implementation plan to address issues of coordination, monitoring, and applicability of research to species conservation. The program review and implementation plan were identified as action items in the Final Programmatic Environmental Impact Statement (PEIS) for Steller Sea Lion and Northern Fur Seal Research. The review and plan will, in conjunction with the PEIS, inform NMFS' decisions on future permits for these species.



As Holder of this permit, you are ultimately responsible for all activities of any individual operating under its authority. Therefore, you should read all sections of the permit carefully before signing it and before conducting any activities pursuant to the permit. If you have any problems or questions, please contact Amy Sloan or Dr. Tammy Adams at 301-713-2289 before signing the permit.

Sincerely,

A handwritten signature in black ink, appearing to read "P. Michael Payne". The signature is stylized with large loops and a long horizontal stroke extending to the right.

P. Michael Payne  
Chief, Permits, Conservation  
and Education Division  
Office of Protected Resources

Enclosure



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

Permit No. 1034-1887-00  
Expiration Date: August 1, 2009  
Reports Due: November 1, annually

## PERMIT TO TAKE PROTECTED SPECIES<sup>1</sup> FOR SCIENTIFIC PURPOSES

### I. Authorization

This permit is issued to Dr. Markus Horning (hereinafter “Permit Holder”), Marine Mammal Program, Department of Fisheries & Wildlife, Oregon State University, Hatfield Marine Science Center, Newport, OR, pursuant to the provisions of the Marine Mammal Protection Act of 1972 as amended (MMPA; 16 U.S.C 1361 *et seq.*); the regulations governing the taking and importing of marine mammals (50 CFR Part 216); the Endangered Species Act of 1973 (ESA; 16 U.S.C. 1531 *et seq.*); and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR Parts 222-226).

### II. Abstract

The objective of the permitted activity, as described in the application, is to remotely census and monitor body mass, condition, and health trends of Steller sea lions (*Eumetopias jubatus*) in Alaska and Oregon.

### III. Terms and Conditions

The activities authorized herein must occur by the means, in the areas, and for the purposes set forth in the permit application, and as limited by the Terms and Conditions specified in this permit, including all attachments and appendices. Any permit noncompliance constitutes a violation and is grounds for permit modification, suspension, or revocation, and for enforcement action.

#### A. Duration of Permit

1. Personnel listed in Condition C.1 of this permit (hereinafter “Researchers”) may conduct activities authorized by this permit through August 1, 2009. This permit expires on the date indicated, cannot be extended, and is non-renewable.

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<sup>1</sup> “Protected species” include species listed as threatened or endangered under the ESA, and marine mammals.



2. Researchers must suspend all activities under this permit in the event serious injury<sup>2</sup> or mortality<sup>3</sup> of protected species reaches that specified in Table 2 Appendix 1. The Permit Holder must contact the Chief, NMFS Permits, Conservation and Education Division (hereinafter “Permits Division”) by phone (301-713-2289) within two business days. The Permit Holder must also submit a written incident report as described in Condition E.2. The Permits Division may grant authorization to resume permitted activities based on review of the incident report and in consideration of the Terms and Conditions of this permit.
3. If authorized take<sup>4</sup> is exceeded, Researchers must cease all permitted activities and notify the “Permits Division” by phone (301-713-2289) as soon as possible, but no later than within two business days. The Permit Holder must also submit a written incident report as described in Condition E.2. The Permits Division may grant authorization to resume permitted activities based on review of the incident report and in consideration of the Terms and Conditions of this permit.
4. Activities under all permits for takes of endangered Steller sea lions will be suspended, pending review, if the total number of research-related mortalities of endangered Steller sea lions reaches 10 animals under any combination of permits. In the event that research is suspended because combined mortalities of endangered Steller sea lions reaches 10, research may recommence upon review of the information submitted by permit holders on the cause(s) of the deaths and authorization by the Chief, Permits, Conservation and Education Division. In the event that the total number of research-related mortalities of endangered Steller sea lions reaches 20 animals under any combination of permits, activities under this and any other permit for takes of endangered Steller sea lions will cease pending review of the circumstances and amendment of the permits as appropriate.

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<sup>2</sup> A serious injury is defined by regulation as any injury that will likely result in mortality.

<sup>3</sup> This permit allows for unintentional serious injury and mortality caused by the presence or actions of researchers up to the limit in Table 2 of Appendix 1. This includes, but is not limited to; deaths of dependant young by starvation following research-related death of a lactating female; deaths resulting from infections related to sampling procedures; and deaths or injuries sustained by animals during capture and handling, or while attempting to avoid researchers or escape capture.

<sup>4</sup> By regulation, a take under the MMPA means to harass, hunt, capture, collect, or kill, or attempt to harass, hunt, capture, collect, or kill any marine mammal. This includes, without limitation, any of the following: The collection of dead animals, or parts thereof; the restraint or detention of a marine mammal, no matter how temporary; tagging a marine mammal; the negligent or intentional operation of an aircraft or vessel, or the doing of any other negligent or intentional act which results in disturbing or molesting a marine mammal; and feeding or attempting to feed a marine mammal in the wild. Under the ESA, a take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to do any of the preceding.

B. Number and Kind(s) of Protected Species, Location(s) and Manner of Taking

1. The tables in Appendix 1 specify the number of protected species, by species and stock, authorized to be taken, and the locations, manner, and time period in which they may be taken.
2. Researchers working under this permit may collect visual images (*i.e.*, any form of still photographs and motion pictures) as needed to document the permitted activities, provided the collection of such images does not result in takes of protected species.
  - a. The Permit Holder may use these images in printed materials (including commercial or scientific publications) and presentations provided the images are accompanied by a statement indicating that the activity depicted was conducted pursuant to NMFS Permit No. 1034-1887. This statement must accompany the images in all subsequent uses or sales.
  - b. Annual reports required pursuant to Condition E.3 must note such incidental scientific, educational, or commercial uses of the images.
3. Upon written request from the Permit Holder, approval for photography, filming, or audio recording activities not essential to achieving the objectives of the permitted activities, including allowing personnel not essential to the research (*e.g.* a documentary film crew) to be present, may be granted by the Chief, Permits Division.
  - a. Where such non-essential photography, filming, or recording activities are authorized they must not influence the conduct of permitted activities in any way or result in takes of protected species.
  - b. Personnel authorized to accompany the Researchers during permitted activities for the purpose of non-essential photography, filming, or recording activities are not allowed to participate in the permitted activities.
  - c. Annual reports required pursuant to Condition E.3 must note such non-essential activities.
  - d. The Permit Holder and Researchers cannot require or accept compensation in return for allowing non-essential personnel to accompany Researchers to conduct non-essential photography, filming, or recording activities.

4. Researchers must comply with the following conditions related to the manner of taking:
  - a. Except where disturbance during pupping season is expressly authorized, Researchers must not conduct any rookery activities until after the peak of pupping season.
  - b. When working on rookeries, Researchers must, to the maximum extent practical, ensure pups do not gather in places or a manner that could lead to their suffocation, crushing, drowning, fluid aspiration, or other serious injury or mortality.
  - c. If a lactating female dies as a result of the permitted activities and her dependent pup can be identified, Researchers must immediately contact the appropriate NMFS Regional Stranding Network Coordinator (SNC) [Appendix 2] and proceed as directed. If the pup cannot be identified or the SNC determines the pup is not a candidate for rehabilitation, the pup is to be counted as a permit-related mortality.
  - d. If a pregnant female dies as a result of the permitted activities, both the female and the unborn pup shall be counted as permit-related mortalities.
  - e. To the maximum extent practical without causing further disturbance of marine mammals, Researchers shall monitor study sites following any disturbance (e.g., surveys or sampling activities) to determine if any marine mammals have been killed or injured or pups abandoned. Any observed serious injury to or death of a marine mammal is to be reported as indicated in Condition A.2. Any observed abandonment of a dependent marine mammal pup is to be reported to the appropriate NMFS Regional SNC [Appendix 2].
5. The Permit Holder must comply with all provisions specified in Attachment 1 of this permit for biological samples collected or obtained under authority of this permit.

C. Qualifications, Responsibilities, and Designation of Personnel

1. The following Researchers may participate in the conduct of the permitted activities in accordance with their qualifications and the limitations specified herein:
  - a. Principal Investigator – Dr. Markus Horning;
  - b. Co-Investigators – Dr. Jo-Ann Mellish and Dr. Tom Gelatt; and
  - c. Research Assistants – any personnel identified by the Permit Holder or Principal Investigator and qualified to act pursuant to Conditions C.2, C.3, and C.4 of this permit.

2. Individuals conducting permitted activities must possess qualifications commensurate with their roles and responsibilities. The roles and responsibilities of personnel operating under this permit are as follows:
  - a. The Permit Holder is ultimately responsible for all activities of any individual who is operating under the authority of this permit. Where the Permit Holder is an institution/facility, the Responsible Party is the person at the institution/facility who is responsible for the supervision of the Principal Investigator.
  - b. The Principal Investigator (PI) is the individual primarily responsible for the taking, import, export and any related activities conducted under the permit. The PI must be on site during any activities conducted under this permit unless a Co-Investigator named in Condition C.1 is present to act in place of the PI.
  - c. Co-Investigators (CIs) are individuals who are qualified to conduct activities authorized by the permit without the on-site supervision of the PI. CIs assume the role and responsibility of the PI in the PI's absence.
  - d. Research Assistants (RAs) are individuals who work under the direct and on-site supervision of the PI or a CI. RAs cannot conduct permitted activities in the absence of the PI or a CI.
3. Personnel involved in permitted activities must be reasonable in number and essential to conduct of the permitted activities. Essential personnel are limited to:
  - a. Individuals who perform a function directly supportive of and necessary to the permitted activity (including operation of any vessels or aircraft essential to conduct of the activity);
  - b. Individuals included as backup for those personnel essential to the conduct of the permitted activity; and
  - c. Individuals included for training purposes.
4. Persons who require state or Federal licenses to conduct activities authorized under the permit (*e.g.*, veterinarians, pilots) must be duly licensed when undertaking such activities.
5. Permitted activities may be conducted aboard vessels or aircraft, or in cooperation with individuals or organizations, engaged in commercial activities, provided the commercial activities are not conducted simultaneously with the permitted activities, except with written approval pursuant to Condition B.3.
6. The Permit Holder may request authorization from the Chief, Permits Division to add personnel to this permit as indicated below. The Permit Holder cannot

require or receive any direct or indirect compensation in return for requesting authorization for such person to act as a PI, CI, or RA under the permit.

- a. The Permit Holder may add or remove CIs from the permit by submitting a written request to the Chief, Permits Division. Where the Permit Holder is an institution/facility, the Responsible Party may request a change of PI.
- b. Requests to change the PI or add CIs must include a description of the individual's qualifications to conduct and oversee the activities authorized under this permit.

D. Possession of Permit

1. This permit cannot be transferred or assigned to any other person.
2. The Permit Holder and all other persons operating under the authority of this permit must possess a copy of this permit: when engaged in a permitted activity; when a protected species is in transit incidental to a permitted activity; and during any other time when any protected species taken under such permit is in the possession of such persons.
3. A duplicate copy of this permit must be attached to the container, package, enclosure, or other means of containment in which a protected species or protected species part is placed for purposes of storage, transit, supervision or care.

E. Reports

1. The Permit Holder must submit annual, final, and incident reports, and any papers or publications resulting from the research authorized herein to the Chief, Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Suite 13705, Silver Spring, MD 20910; phone (301) 713-2289; fax (301) 427-2521.
2. Written incident reports related to serious injury and mortality events or to exceeding authorized takes, must be submitted to the Chief, Permits Division within two weeks of the incident. The incident report must include a complete description of the events and identification of steps that will be taken to reduce the potential for additional research-related mortality or exceedence of authorized take.
3. An annual report must be submitted to the Chief, Permits Division by November 1<sup>st</sup> for each year the permit is valid. The annual report describing activities conducted during the previous permit year must follow the format in Appendix 3.



4. A final report must be submitted to the Chief, Permits Division within 6 months after expiration of the permit (February 1, 2010), or, if the research concludes prior to permit expiration, within 180 days of completion of the research. The final report must follow the format in Appendix 3.
5. Research results must be published or otherwise made available to the scientific community in a reasonable period of time.

F. Notification and Coordination

1. The Permit Holder must provide written notification of planned field work to the appropriate Assistant Regional Administrators for Protected Resources at the addresses listed below. Such notification must be made at least two weeks prior to initiation of any field trip/season and must include the locations of the intended field study and/or survey routes, estimated dates of research, and number and roles (for example: PI, CI, veterinarian, boat driver, safety diver, animal restrainer, Research Assistant "in training") of participants. A copy of this notification must accompany the annual reports required pursuant to Condition E.3.

For activities in Alaska: Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668; phone (907) 586-7235; fax (907) 586-7012; and

For activities in Washington or Oregon: Northwest Region, NMFS, 7600 Sand Point Way NE, BIN C15700, Bldg. 1, Seattle, WA 98115-0700; phone (206) 526-6150; fax (206) 526-6426.

2. To the maximum extent practical, the Permit Holder must coordinate permitted activities with activities of other Permit Holders conducting the same or similar activities on the same species, in the same locations, or at the same times of year to avoid unnecessary disturbance of animals. The appropriate Regional Office may be contacted at the address listed above for information about coordinating with other Permit Holders.

G. Observers and Inspections

1. NMFS may review activities conducted pursuant to this permit. At the request of NMFS, the Permit Holder must cooperate with any such review by:
  - a. Allowing any employee of NOAA or any other person designated by the Director, NMFS Office of Protected Resources to observe permitted activities; and

- b. Providing any documents or other information relating to the permitted activities.

#### H. Modification, Suspension, and Revocation

1. All permits are subject to suspension, revocation, modification, and denial in accordance with the provisions of subpart D [Permit Sanctions and Denials] of 15 CFR part 904.
2. The Director, NMFS Office of Protected Resources may modify, suspend, or revoke this permit in whole or in part:
  - a. In order to make the permit consistent with any change made after the date of permit issuance with respect to any applicable regulation prescribed under section 103 of the MMPA and section 4 of the ESA;
  - b. In any case in which a violation of the terms and conditions of the permit is found, including failure to submit annual reports;
  - c. If NMFS determines that the application or other information pertaining to the permitted activities (including, but not limited to, reports pursuant to Section E of this permit and information provided to NOAA personnel pursuant to Section G of this permit) includes false information; and
  - d. If NMFS determines that the authorized activities will operate to the disadvantage of threatened or endangered species or are otherwise no longer consistent with the purposes and policy in Section 2 of the ESA.
3. Issuance of this permit does not guarantee or imply that NMFS will issue or approve subsequent permits or amendments for the same or similar activities requested by the Permit Holder, including those of a continuing nature.
4. For the duration of the permit, the Permit Holder/Principal Investigator may not request changes to the permit related to: the objectives or purposes of the permitted activities; the species or number of animals taken; or the location, time, or manner of taking or importing protected species.

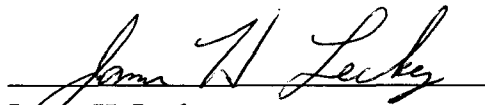
#### I. Penalties and Permit Sanctions

1. Any person who violates any provision of this permit, the MMPA, ESA, or the regulations at 50 CFR 216 and 50 CFR 222-226 is subject to civil and criminal penalties, permit sanctions, and forfeiture as authorized under the MMPA, ESA, and 15 CFR part 904.

2. NMFS shall be the sole arbiter of whether a given activity is within the scope and bounds of the authorization granted in this permit. The Permit Holder must contact the Permits Division for verification before conducting the activity if they are unsure whether an activity is within the scope of the permit. Failure to verify, where NMFS subsequently determines that an activity was outside the scope of the permit, may be used as evidence of a violation of the permit, the MMPA, the ESA, and applicable regulations in any enforcement actions.

J. Acceptance of Permit

1. In signing this permit, the Permit Holder:
  - a. Agrees to abide by all terms and conditions set forth in the permit, all restrictions and relevant regulations under 50 CFR Parts 216, and 222-226, and all restrictions and requirements under the MMPA, and the ESA;
  - b. Acknowledges that the authority to conduct certain activities specified in the permit is conditional and subject to authorization by the Office Director; and
  - c. Acknowledges that this permit does not relieve the Permit Holder of the responsibility to obtain any other permits, or comply with any other Federal, State, local, or international laws or regulations.

  
\_\_\_\_\_  
James H. Lecky  
Director, Office of Protected Resources  
National Marine Fisheries Service

JUN 18 2009  
\_\_\_\_\_  
Date

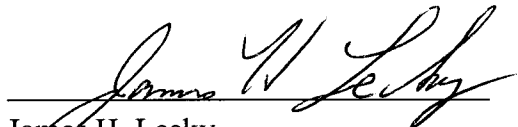
\_\_\_\_\_  
Markus Horning, Ph.D.  
Assistant Professor, Oregon State University  
Permit Holder/Principal Investigator

\_\_\_\_\_  
Date

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  - c. Acknowledges that this permit does not relieve the Permit Holder of the responsibility to obtain any other permits, or comply with any other Federal, State, local, or international laws or regulations.

  
\_\_\_\_\_  
James H. Lecky  
Director, Office of Protected Resources  
National Marine Fisheries Service

\_\_\_\_\_  
Date

\_\_\_\_\_  
Markus Horning, Ph.D.  
Assistant Professor, Oregon State University  
Permit Holder/Principal Investigator

\_\_\_\_\_  
Date

**FILE COPY**

**Appendix 1: Tables Specifying the Kind(s) of Protected Species, Location(s), and Manner of Taking**

**Table 1. Annual and total authorized takes of pinnipeds for Task 1 activities under Permit No. 1034-1887-00**

Species	Life Stage	Sex	Maximum Annual Take	Total Take Over 5 Years	# Takes per Individual	Take Action	Transport	Location	Dates/Time period
Steller sea lion	all ages	m/f	50	50	1	Opportunistic carcass collection, insertion of dual LHX tags, release of carcass	local moving / towing to deposit/release location	Alaska, British Columbia, Washington, Oregon	year-round
Steller sea lion	all ages	m/f	300	600	1	Incidental disturbance	n/a	Alaska	year-round
Harbor seal ( <i>Phoca vitulina</i> )	all ages	m/f	50	100	1	Incidental disturbance	n/a	All above listed work locations	year-round

**Table 2. Annual and total authorized takes of pinnipeds for Task 2 activities under Permit No. 1034-1887-00**

Species	Life stage	Sex	# of Installation visits per site	# of Service visits per site per year	Maximum annual take	Total take over 5 years	# Takes per individual	Take action	Location	Dates/Time period
Steller sea lion	All ages	m/f	8 visits over one 10 day period (8 total)	n/a	1500 (up to 500 per site, at up to 3 sites)	1500 (up to three sites over three years)	8 (one per visit)	Incidental disturbance for Eastern DPS (Oregon) during initial installation of systems	Oregon: Rogue Reef, Orford Reef, 1 haulout TBD	Aug 1 to May 15
Steller sea lion	All ages	m/f	n/a	2 visits over 2 day period, twice per year (4 total)	1200 (up to 200 per site, at up to 3 sites, twice per	3600	2 (one per visit)	Incidental disturbance for Eastern DPS (Oregon) during service of systems beginning no earlier	Oregon: Rogue Reef, Orford Reef, 1 haulout TBD	Aug 1 to May 15

**Table 2. Annual and total authorized takes of pinnipeds for Task 2 activities under Permit No. 1034-1887-00**

Species	Life stage	Sex	# of Installation visits per site	# of Service visits per site per year	Maximum annual take	Total take over 5 years	# Takes per individual	Take action	Location	Dates/Time period
					year)			than 6 months following initial installation		
Steller sea lion	All ages	m/f	8 visits over one 10 day period (8 total)	n/a	2000 (up to 500 per site, at up to 4 sites per year)	3500 (up to seven sites over three year period)	8 (one per visit)	Incidental Disturbance for Western DPS (Alaska) during initial installation of systems	7 TBD locations in Alaska: Kodiak Island, Aleutian Islands	Aug 1 to May 15
Steller sea lion	All ages	m/f	n/a	2 visits over 2 day period, twice per year (4 total)	2800 (up to 200 per site, at up to 7 sites, twice per year)	8400	2 (one per visit)	Incidental Disturbance for Western DPS (Alaska) during service of systems beginning no earlier than 6 months following initial installation	7 TBD locations in Alaska: Kodiak Island, Aleutian Islands	Aug 1 to May 15
Harbor seal	All ages	m/f	n/a	n/a	150	450 total over 5 years		Incidental disturbance during camera installation and service visits	All above listed work locations	Aug 1 to May 15
California sea lion ( <i>Zalophus californianus</i> )	All ages	m/f	n/a	n/a	250	750 total over 5 years		Incidental disturbance	All above listed work locations	Aug 1 to May 15
Northern Elephant seal ( <i>Mirounga angustirostris</i> )	All ages	m/f	n/a	n/a	200	600 total over 5 years		Incidental disturbance	All above listed work locations	Aug 1 to May 15

Table 3. Annual authorized mortality under Permit No. 1034-1887-00								
Species	Life Stage	Sex	Maximum Annual Take	# Takes per Individual	Take Action	Transport	Location	Dates/ Time Period
Steller sea lion	All ages	m/f	2	1	<u>Unintentional mortality</u> during research activities; includes necropsy and tissue sampling.	n/a	Western DPS	Aug 1 to May 15
Steller sea lion	All ages	m/f	2	1	<u>Unintentional mortality</u> during research activities; includes necropsy and tissue sampling.	n/a	Eastern DPS	Aug 1 to May 15

## **Appendix 2: NMFS Regional Stranding Coordinators**

To report an orphaned pup, as required in Condition B.4.c. and B.4.e, contact the appropriate SNC at the address below.

### **For activities in Alaska:**

Aleria Jensen, Alaska Region  
National Marine Fisheries Service, NOAA  
P.O. Box 21668  
Juneau, AK 99802-1668  
Phone (907) 586-7248; Fax (907) 586-7012

### **For activities in Oregon & Washington:**

Brent Norberg, Northwest Region  
National Marine Fisheries Service, NOAA  
7600 Sand Point Way, NE, BIN C15700, Bldg. 1  
Seattle, WA 98115-0070  
Phone (206) 526-6733; Fax (206) 526-6736



### Appendix 3: Format for submitting annual and final reports

\*\*Please note this is only an example of the reporting form and information you will need to submit. Please contact the Permits Division for an electronic copy of the report form to use in preparing and submitting your reports.

Date: \_\_\_\_\_ Reporting Period: \_\_\_\_\_

Permit Number: \_\_\_\_\_ Permit Holder's Name: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Contact Email: \_\_\_\_\_

Contact Phone #: \_\_\_\_\_

(Contact = person submitting report)

#### Part I: Take Tables.

I. Summary Table: This table is for reporting total numbers of animals taken annually by each category of activity specified in the Take Tables of Appendix 1 of the permit. The format of this table will follow that of the Take Tables in the permit.

#### Example summary take table

A. Species	B. Age	C. Sex	D. Number of animals taken <sup>1</sup>	E. Dates of Activity <sup>2</sup>	F. Locations of Activity <sup>3</sup>
<b>1. Activity description from Table in Appendix 1 (for example "aerial survey")</b>					
Steller sea lion	pups	unidentifiable	68	June 10, 2008	Kodiak Is., Alaska
Steller sea lion	adults	Male	21	June 10, 2008	Kodiak Is., Alaska
Steller sea lion	adults	Female	56	June 10, 2008	Kodiak Is., Alaska
<b>2. Activity description from Table in Appendix 1 (for example "capture, restrain, flipper tag")</b>					
Steller sea lion	pups	Male	14	June 25, 2008	Marmot Is., Alaska
Steller sea lion	pups	Female	23	June 25, 2008	Marmot Is., Alaska
Steller sea lion	juveniles	Male	8	August 18, 2008	Sugarloaf Is., Alaska
Steller sea lion	juveniles	Male	3	Sept. 2, 2008	Prince William Sound
<b>3. Activity description from Table in Appendix 1 (for example "incidental disturbance during capture/sampling")</b>					
Steller sea lion	pups	unidentifiable	87	June 25, 2008	Marmot Is., Alaska
Steller sea lion	adult	females	66	June 25, 2008	Marmot Is., Alaska
Steller sea lion	adult	males	24	June 25, 2008	Marmot Is., Alaska
<b>4. Activity description from Table in Appendix 1 (for example "incidental mortality")</b>					
Steller sea lion	pup	Male	1	June 25, 2008	Marmot Is., Alaska

1. For "number of animals taken" you must specify the number of individual animals present (e.g., during surveys or incidental disturbance) or captured within a permit year. If animals were recaptured, they should only be accounted for once in this column. Recaptures would be accounted for in the "Capture Activity Tables" as described below.

2. For “Dates of Activity” specify the date on which the activity occurred.
3. For “Locations of Activity” specify where the activity occurred with as much detail as possible. For example, give name of island on which animals were captured or harassed, or coordinates for surveys.

II. Capture Activity Tables: These tables are for reporting the details of what is done to individual animals during capture and recapture events.

*Example Capture Activity Table*

A. Species	B. Age <sup>1</sup>	B. Sex	C. Animal identification <sup>2</sup>	D. Date of capture or recapture	E. Location	F. Procedures
Northern fur seal	1.5 months	Female	M76	October 13, 2008	St. Paul Is., AK	Capture by hand, isoflurane, flipper tag, blood, skin biopsy; satellite transmitter
Northern fur seal	4 months	Female	M76	January 9, 2009	St. Paul Is., AK	Recapture by net, valium, blood, remove transmitter
Northern fur seal	1.5 months	Male	M77	October 13, 2008	St. Paul Is., AK	Capture by hand, isoflurane, flipper tag, blood, skin biopsy; satellite transmitter
Nothern fur seal	1.5 months	Female	M78	October 13, 2008	St. Paul Is., AK	Capture by hand, isoflurane, flipper tag, blood, skin biopsy; satellite transmitter

1. For “age” specify the approximate or known age of the animal, as appropriate.
2. For “Animal identification” specify flipper tag number, hot brand mark, or other unique identifier for each individual animal captured.
3. For “date of capture or recapture” specify the date on which the animal was captured or recaptured.
4. For “location” specify where the activity occurred with as much detail as possible. For example, give name of island on which animals were captured or the latitude and longitude if capture was not on land. If in water capture was near a named island, provide that information as well.
5. For “procedures” specify each procedure (e.g., method of capture, method of restraint, marks, types of instruments attached, types of tissue samples collected) performed on an individual animal during the capture or recapture event.

III. Narrative report: This section summarizes research coordination, mitigation, and monitoring activities, as well as any use of data such as for publications or reports. You will be asked to report on the following:

1. Effects permitted activities had on animals, including any unforeseen responses or effects.
2. Measures taken to minimize effects of permitted activities on animals and the effectiveness of these measures.
3. The physical condition of animals taken and used in the permitted activities.
4. How permitted species were unintentionally injured or killed and how they were disposed of.
5. In the case of pups that are abandoned as a result of your research, steps taken to notify NMFS Regional Stranding Network Coordinator, and ultimate disposition of pups.
6. Whether there were any problems encountered during the permitted activities and any steps taken or proposed to resolve such problems.
7. Steps taken to coordinate the permitted activities with other permit holders.
8. Steps taken to notify the appropriate NMFS Region of permitted activities.
9. Whether any preliminary findings support accomplishing the goals of your permitted activities.
10. List titles of reports, publications, etc. resulting from this reporting period. Include copies of any final documents. For any documents in preparation, indicate when you anticipate that they will be completed and submitted or published.
11. Any incidental photography or filming activities.
12. Number and type of non-permitted species caught, harassed, or otherwise taken, and the observed effects of such taking.
13. Any additional findings, results, or information you would like to report or comment on.

## **Attachment 1: Requirements for disposition of biological samples**

1. All marine mammal parts/biological samples collected or obtained under the authority of this permit must be maintained according to accepted curatorial standards. The Terms and Conditions of this permit shall remain in effect as long as the biological samples authorized hereunder are maintained under the authority and responsibility of the Permit Holder. Below is 50 CFR 216.37 of the National Marine Fisheries Service (NMFS) regulations governing the taking and importing of marine mammals that contains additional conditions regarding maintaining and transferring marine mammal parts under the jurisdiction of NMFS. These regulations are made a part hereof.
2. Unless other disposition is specified in the permit application, the Permit Holder may retain marine mammal parts not consumed in analysis or otherwise disposed of during or after research activities authorized by this permit if the marine mammal parts are maintained in a properly curated collection and made available for research or enhancement purposes at the request of the Office Director. Remaining samples may be archived for analysis by the Permit Holder not described in the permit application provided that the project descriptions are provided to the Permits, Conservation and Education Division for inclusion in the permit file.
3. The appropriate Regional Office (Appendix 2) must be contacted prior to, and where necessary approve and authorize, the transfer of biological samples to persons not listed in the permit application, pursuant to 50 CFR 216.37.
4. Under no circumstances may any marine mammal parts collected or obtained under the authority of this permit be bought or sold. Recipients of any marine mammal parts taken under the authority of this permit must adhere to the conditions of this permit and the regulations at 50 CFR 216.37.
5. The Permit Holder must maintain a record of all biological specimens obtained under this permit. This record must include the number and type of specimens; and a description of each animal from which specimen materials were taken including, species, age, size, sex, reproductive condition; date and location of acquisition; circumstances causing death or nature of specimen collection; and legal authority for original specimen collection (for receipt of samples).
6. No animals may be intentionally killed for the purpose of providing specimens under this permit, and no remuneration, either financial or in-kind, can be offered for the taking of animals from the wild.

## **50 CFR §216.37 Marine mammal parts**

With respect to marine mammal parts acquired by take or import authorized under a permit issued under this subpart:

(a) Marine mammal parts are transferrable if:

(1) The person transferring the part receives no remuneration of any kind for the marine mammal part;

(2) The person receiving the marine mammal part is:

(i) An employee of NMFS, the U.S. Fish and Wildlife Service, or any other governmental agency with conservation and management responsibilities, who receives the part in the course of their official duties;

(ii) A holder of a special exception permit which authorizes the take, import, or other activity involving the possession of a marine mammal part of the same species as the subject part; or

(iii) In the case of marine mammal parts from a species that is not depleted, endangered or threatened, a person who is authorized under section 112(c) of the MMPA and subpart C of this part to take or import marine mammals or marine mammal parts;

(iv) Any other person specifically authorized by the Regional Director, consistent with the requirements of paragraphs (a)(1) and (a)(3) through (6) of this section.

(3) The marine mammal part is transferred for the purpose of scientific research, maintenance in a properly curated, professionally accredited scientific collection, or education, provided that, for transfers for educational purposes, the recipient is a museum, educational institution or equivalent that will ensure that the part is available to the public as part of an educational program;

(4) A unique number assigned by the permit holder is marked on or affixed to the marine mammal part or container;

(5) The person receiving the marine mammal part agrees that, as a condition of receipt, subsequent transfers may only occur subject to the provisions of paragraph (a) of this section; and

(6) Within 30 days after the transfer, the person transferring the marine mammal part notifies the Regional Director of the transfer, including a description of the part, the person to whom the part was transferred, the purpose of the transfer, certification that the recipient has agreed to comply with the requirements of paragraph (a) of this section for subsequent transfers, and, if applicable, the recipient's permit number.

(b) Marine mammal parts may be loaned to another person for a purpose described in paragraph (a)(3) of this section and without the agreement and notification required under paragraphs (a)(5) and (6) of this section, if:

(1) A record of the loan is maintained; and

(2) The loan is for not more than one year. Loans for a period greater than 12 months, including loan extensions or renewals, require notification of the Regional Director under paragraph (a)(6).

(c) Unless other disposition is specified in the permit, a holder of a special exception permit may retain marine mammal parts not destroyed or otherwise disposed of during or after a scientific research or enhancement activity, if such marine mammal parts are:

(1) Maintained as part of a properly curated, professionally accredited collection; or

(2) Made available for purposes of scientific research or enhancement at the request of the Office Director.

(d) Marine mammal parts may be exported and subsequently reimported by a permit holder or subsequent authorized recipient, for the purpose of scientific research, maintenance in a properly curated, professionally accredited scientific collection, or education, provided that:

(1) The permit holder or other person receives no remuneration for the marine mammal part;

(2) A unique number assigned by the permit holder is marked on or affixed to the marine mammal specimen or container;

(3) The marine mammal part is exported or reimported in compliance with all applicable domestic and foreign laws;

(4) If exported or reimported for educational purposes, the recipient is a museum, educational institution, or equivalent that will ensure that the part is available to the public as part of an educational program; and

(5) Special reports are submitted within 30 days after both export and reimport as required by the Office Director under §216.38.